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TO RUEHC/SECSTATE WASHDC PRIORITY 1524  
INFO RUCNFUR/DARFUR COLLECTIVE  
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UNCLAS KHARTOUM 001186

DEPT FOR AF A/S FRAZER, AF/SPG, AF SE WILLIAMSON  
NSC for BPITTMAN AND CHUDSON  
ADDIS ABABA FOR USAU  
DEPT PLS PASS USAID FOR AFR/SUDAN

SENSITIVE  
SIPDIS

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SUBJECT: AU URGES INCREASED GOS COOPERATION ON DARFUR, SUSPENSION OF  
ICC INDICTMENT

1. (SBU) The head of the AU Liaison Office in Khartoum, Ambassador Mahmoud Kane, told poloff on August 5 that AU Commission Chairman Ping's August 3 visit to Sudan was part of the AU's continuing efforts to urge Sudan's cooperation on Darfur issues. Seeking to downplay the significance of the event, which was loudly trumpeted by the Bashir regime as AU solidarity with Sudan, Kane claimed that this was not a special visit related only to the ICC. However, he said that Ping's decision to come to Sudan and his statements during the visit are consistent with the AU's July 21 communique regarding the July 14 ICC announcement to request an arrest warrant against President Bashir.

2. (SBU) Chairman Ping met with a number of Sudanese officials including President Al-Bashir, FVP Salva Kiir Mayardit, VP Ali Osman Taha, Minister of Foreign Affairs Deng Alor, and Dr. Nafie Ali Nafie, Assistant to the President who is currently in charge of Darfur issues. Ping is reported to have assured the Sudanese officials of the AU's solidarity with Sudan and stressed the need to suspend the ICC tribunal's action "because any ICC indictment would only re-ignite the five year-old conflict." Press reports quoted Ping as saying that while the AU is trying to extinguish the fire in Darfur with its own troops, the ICC indictment of President Bashir can be seen in the context of those who want to put more "oil on a fire." Kane denied that this statement was an overt show of support for the regime and emphasized that the Ping's visit is aimed at advancing UN and AU goals in Darfur.

3. (SBU) In his statements to the media, Ping expressed concern for both the Darfur victims who have died and for those are still alive, but emphasized that the latter need peace. Kane said the AU's position on the issue is clear; any indictment against President Bashir would not be timely and would jeopardize the Darfur peace process. While Ping reportedly said that the need for peace and justice peace should be taken equally, Kane went a step further and told poloff that "peace should come before justice."

4. (SBU) Comment: Although the AU is attempting to minimize the significance of this particular visit, Chairman Ping's visit to Khartoum is clearly intended to show solidarity with President Bashir following the announcement of the ICC indictment against him for war crimes. Unfortunately, while on the one hand urging the UN to defer the indictment, the AU seems to be soft-pedaling with the GOS demands for action in Darfur. This is unfortunate because the AU could usefully encourage concrete steps by the regime in Darfur in light of the vague platitudes offered by President Bashir during his recent trip to Darfur. Both the AU and Arab League have shown by both their words and deeds that they are more concerned about the inconvenient indictment of Sudan's President rather than pressing the regime forcefully to change its policies on the ground in Darfur.

FERNANDEZ